

Entered -12-05-02 - sb  
CL 02L0889 - GWENDOLYN BURNS

CLAIM OF: **PROGRESSIVE INSURANCE COMPANY**  
as subrogee of Kanaiyalal Patel  
P.O. Box 89440  
Cleveland, Ohio 44101-6440

03-*R*-0328

ADOPTED BY  
MAR 17 2003  
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on July 31, 2002 at Trinity Avenue, SW & Broad Street, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

**BE IT RESOLVED** by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **PROGRESSIVE INSURANCE COMPANY as subrogee of Kanaiyalal Patel** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on July 31, 2002 at Trinity Avenue, SW & Broad Street, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED:

LINDA K. DISANTIS  
CITY ATTORNEY

BY:

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

APPROVED

MAR 25 2003

MAYOR

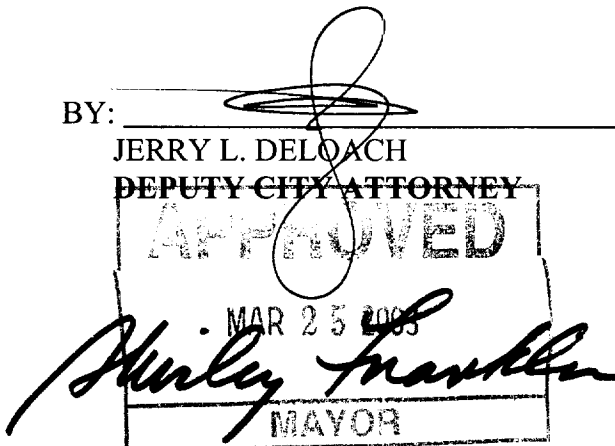
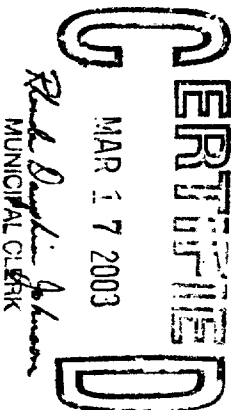
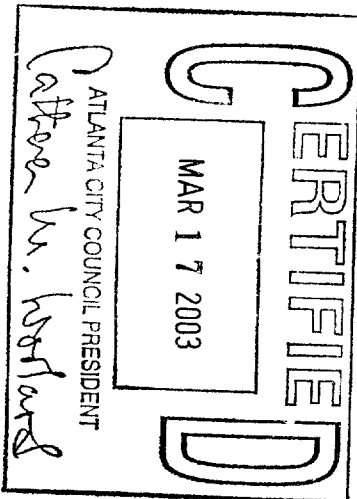
FAVORABLE REPORT

COMM: *Public Safety*

DATE: *3/13/03*

CHAIR: *[Signature]*

*[Signature]*  
*[Signature]*



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**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

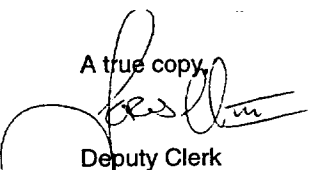
**03-R-0328**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Progressive Insurance Company as subrogee of Kanaiyalal Patel** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a vehicular accident July 31, 2002 at Trinity Avenue, SW and Broad Street, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

  
Deputy Clerk

**ADOPTED by the City Council  
APPROVED by the Mayor**

March 17, 2003  
March 25, 2003

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0889

Date: February 24, 2002

Claimant /Victim KANAIYALAL PATEL  
BY: (Atty) (Ins. Co.) PROGRESSIVE INSURANCE COMPANY  
Address: P.O. Box 89440, Cleveland, Ohio 44101-6440  
Subrogation:            Claim for Property damage \$ 2,529.40 Bodily Injury \$             
Date of Notice: 11/25/02 Method: Written, Proper X Improper             
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 7/31/02 Place: Trinity Avenue, SW & Broad Street, SW  
Department POLICE Division             
Employee involved Linda Ann Monroe Disciplinary Action: Written Reprimand & Defensive Driving Class

**NATURE OF CLAIM:** Claimant's vehicle sustained property damages when it was rear-ended by a City vehicle that was "following too closely".

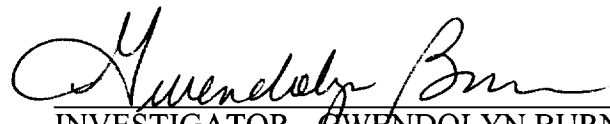
**INVESTIGATION:**

Statements: City employee            Claimant            Others            Written            Oral             
Pictures            Diagrams            Reports: Police X Dept Report            Other             
Traffic citations issued: City Driver            Claimant Driver             
Citation disposition: City Driver            Claimant Driver           

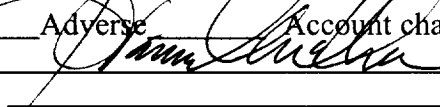
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial             
Improper Notice            More than Six Months            Other            Damages reasonable             
City not involved            Offer rejected            Compromise settlement X  
Repair/replacement by Ins. Co.            Repair/replacement by City Forces             
Claimant Negligent            City Negligent X Joint            Claim Abandoned           

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 2,000.00 Adverse            Account charged: 1A01 X 2J01            2P01            2H01             
Claims Manager:  Concur/date             
Committee Action:            Council Action

RCS# 4538  
3/17/03  
2:53 PM

Atlanta City Council

Regular Session

CONSENT I                      Pgs. 1-11; Except 03-O-0219; 03-O-0323  
                                    03-O-0220; 03-O-0221  
                                    ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT I

<b>3/17/03 FULL COUNCIL MEETING</b>		
<b>Items Adopted on the Consent Agenda</b>		<b>Items Adversed on the Consent Agenda</b>
1. 03-O-0408	36. 03-R-0329	45. 03-R-0336
2. 03-O-0392	37. 03-R-0330	46. 03-R-0337
3. 03-O-0305	38. 03-R-0331	47. 03-R-0338
4. 03-O-0380	39. 03-R-0332	48. 03-R-0339
5. 03-O-0388	40. 03-R-0333	49. 03-R-0340
6. 03-O-0234	41. 03-R-0334	50. 03-R-0341
7. 03-O-0228	42. 03-R-0335	51. 03-R-0342
8. 03-O-0229	43. 03-R-0347	52. 03-R-0343
9. 03-O-0385	44. 03-R-0415	53. 03-R-0344
10. 03-O-0386		54. 03-R-0345
11. 03-R-0348		
12. 03-R-0349		
13. 03-R-0351		
14. 03-R-0352		
15. 03-R-0597		
16. 03-R-0353		
17. 03-R-0354		
18. 03-R-0190		
19. 03-R-0346		
20. 03-R-0361		
21. 03-R-0417		
22. 03-R-0356		
23. 03-R-0357		
24. 03-R-0358		
25. 03-R-0370		
26. 03-R-0371		
27. 03-R-0372		
28. 03-R-0373		
29. 03-R-0374		
30. 03-R-0383		
31. 03-R-0387		
32. 03-R-0325		
33. 03-R-0326		
34. 03-R-0327		
35. 03-R-0328		

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Consent I Vote: 12Yeas; 0 Nays: (See RCS #4538)  
Items Removed from the Consent Agenda: 03-O-0219; 03-O-0323; 03-O-0220; & 03-O-0221